

**FILED**  
DISTRICT COURT OF GUAM

SEP 27 2005 *AP*

MARY L.M. MORAN  
CLERK OF COURT

1 **LUJAN UNPINGCO AGUIGUI & PEREZ LLP**  
2 300 Pacific News Building  
3 238 Archbishop Flores Street  
4 Hagåtña, Guam 96910  
5 Telephone (671) 477-8064  
6 Facsimile (671) 477-5297

7 **BENJAMIN B. CASSIDAY, III**  
8 5699 Kalanianaʻole Highway  
9 Honolulu, Hawaii 96821  
10 Telephone (808) 220-3200  
11 Facsimile (808) 373-7720

12 *Attorneys for Plaintiffs*

13 **IN THE UNITED STATES DISTRICT COURT OF GUAM**

14 **FOR THE TERRITORY OF GUAM**

15 **CESS NAVARRO OLMO, RONNIE**  
16 **PASCUAL FERRERAS,**

17 Plaintiffs,

18 -vs-

19 **A.P. GREEN INDUSTRIES, INC., et al.,**

20 Defendants.

CV 05-00025

**NOTICE OF DISMISSAL OF DEFENDANT  
BABCOCK & WILCOX COMPANY  
PURSUANT TO RULE 41(a)**

21 Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the Plaintiffs dismiss  
22 their complaint against Defendant Babcock & Wilcox Company, without prejudice.

23 Dated: September 27, 2005

**LUJAN, UNPINGCO, AGUIGUI & PEREZ LLP**

24 By: 

**IGNACIO C. AGUIGUI, ESQ.**

*Attorneys for Plaintiffs*

ORIGINAL